

Cases Screened for Bugging

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Washington's chief prosecutor, said yesterday he has reviewed all pending criminal cases here to meet the Justice Department's demand that no Federal case be "tainted" by electronic eavesdropping.

In an oblique response to a reporter's question, David G. Bress indicated he either found no such evidence or, if he did, ordered it removed from the case.

He said: "In accordance with the announced policy of the Justice Department prohibiting wire tapping and electronic eavesdropping and barring the use of any evidence obtained thereby, the U.S. Attorney's office has reviewed all pending cases in order to be certain that the policy is complied with. The policy will be strictly followed in connection with any future prosecution."

Baker Case Not Included

The Review followed an order by Acting Attorney General Ramsey Clark to see how many cases have been affected by covert monitoring before President Johnson issued an absolute ban on "bugging," except in National security cases, in June, 1965.

Bress said his review did not include the pending income tax evasion cases against Robert G. (Bobby) Baker, former Senate majority secretary, and Washington lobbyist Fred B. Black Jr.

Both are awaiting trials in U. S. District Court here. Their cases are being handled by Justice Department attorneys and not local prosecutors under Bress. Both Black and

Baker claim that evidence against them was based on illegal electronic surveillance of their conversations. The Government has admitted the monitoring but insisted the evidence against the men was independently obtained.

Two Other Monitoring Forms

Although Bress indicates he has no cases involving wire taps or bugged hotel rooms, he does have a group of cases involving two other forms of covert monitoring. They include:

- Pending bribery conspiracy cases against five Washington policemen and 15 civilians. Prosecutors have transcripts of 17 secretly taped conversations between some of the defendants and a number of unidentified informants. The transcripts, taken from tape recorders secreted in the clothing of the informants, apparently are designed to corroborate grand jury testimony by police informer Robert E. Barnes about an alleged house-breaking ring in the Washington area complete with outlets for stolen goods and police protection.

- The case of Washington attorney James J. Laughlin, recently convicted of perjury, in which prosecutors originally used covert tape recordings of telephone conversations between Laughlin and a former Baltimore police woman. The tapes were thrown out, a mistrial declared and a new trial ordered earlier this year. Laughlin was convicted but he contended the evidence against him still stemmed in part from the illegal tapes as "fruit of the poisonous tree." The Government, in contend-

ing with this argument on appeal, says the tapes are irrelevant because they were not admitted in the second trial, but even so they were legal because the policewoman consented to the recording device being attached to her telephone.